

Frank Church

Which Secrets Should Be Kept Secret?

Secrets. Can anyone keep a secret?

In the aftermath of The Washington Post's disclosure that the CIA for 20 years had been secretly paying King Hussein of Jordan sums adding up to millions of dollars, that was the question that *Newsweek* featured in its discussion of the Hussein affair. President Carter's reaction was, first, constructive—to stop the payments; second, defensive—to insist that there was nothing improper or illegal about them; and third—regressive, to reduce the number of people in the executive branch with access to information about covert operations and to suggest that a joint congressional committee on intelligence be formed to reduce access in Congress to such information. Adm. Stansfield Turner, the CIA director, volunteered that he might support criminal penalties for unauthorized disclosure and publication of national secrets, a position seemingly endorsed by several members of the Senate Intelligence Committee. Finally, the Secretary of State sought to detect a distinction between our payments to Hussein and the Korean CIA's alleged financing of U.S. political figures.

I suggest that the wrong question is being asked and the wrong remedies are being proposed. The right question is not whether anyone can keep a secret but, rather, what are the secrets that ought to be kept?

I suspect that if we examine this question we would find that, with very few exceptions, secrets that ought to be kept are being kept. For example, with the single exception of the book by Philip Agee, a CIA defector who left the United States, there has been little or no disclosure of CIA sources or methods or of the confidentiality of sensitive negotiations, such as preceded the partial test ban treaty, SALT I, and the release of the Pueblo crew. The practices that have been revealed are mainly those that should never have been approved or undertaken: the CIA's secret war in Laos, the subversion of a freely elected government in Chile, the prolonged and illegal mail openings in the United States, and the conspiracy to murder foreign leaders, to name a few.

The Hussein case is a classic illustration of the confusion that surrounds the issue. If slipping money to King Hussein wasn't "illegal or improper," as the President maintained after stopping the payments, why were the payments stopped? Why, indeed, did we run the risk of so embarrassing a revelation in the first place? The United States has openly extended economic assistance to Jordan for years. If we had to purchase the king's cooperation to get intelligence, why put him on the payroll of the

CIA? Money is fungible: U.S. aid could readily release Jordanian funds, which the king could then use to furnish us intelligence. The explanation just won't wash.

Indeed, the whole operation won't wash. Throughout the many years of the Middle East crisis, Jordan has basically relied upon the

Sen. Church (D-Idaho) was chairman of the Senate Select Committee on Intelligence.

United States to ensure its sovereignty and, until recently, its economic viability. If intelligence collection was the objective, as claimed, it was in the king's own interest to share intelligence with the United States, and he should not have had to be paid for it. If, on the other hand, Hussein used the money for his personal needs, then the purpose as well as the means

chosen was clearly improper. Nevertheless, the disclosure seems not to have harmed the king; the facts of geography and geopolitics appear to be working to verify his position.

Why then, the draconian reactions? Perhaps it reflects only the inexperience of a new administration abruptly confronted with the basic contradiction of official secrecy in an open society. If so, it is best that it happened early, before knee-jerk reactions become an ingrained habit. The dynamic of an open society, by definition, works in favor of disclosure. A determined free press probes relentlessly to uncover dubious practices and, in the aftermath of Watergate, the automatic invocation of national security no longer suffices to hide dirty linen.

This is also a society in which all kinds of special interests—in and out of government—compete for resources and influence. They will "go public" with information whenever it

promotes their primary purposes. Witness the leak of Team B's hard-line assessment of Soviet strategic capability, secretly prepared for the CIA. I find it hard to believe that this was not an inside job. A pluralistic, open society is like a sieve: It leaks.

The proposal to involve criminal sanctions against "leakers" misconceives and compounds the problem. Within the bureaucracy, it would prove a boon to the growth of illegal and improper practices, for the most effective constraint on wrongdoing is neither executive vigilance nor congressional oversight, but the fear of public exposure. Moreover, it is not possible, when it comes to leaks, to administer criminal sanctions in an evenhanded manner. There was no public outcry against the Team B leak. Those who want bigger military budgets welcomed it because the assessment boosted their position. Those who believe in less Pentagon spending were constrained from condemning

the leak for fear of being charged with favoring a "coverup" of the Russian threat.

If leaks were made a crime, rest assured that the Team B cases of the future would be ignored; prosecution would be reserved for the King Hussein-type revelations.

Clearly, however, the classified assessment of Soviet strategic capability and intentions was far more directly related to U.S. security interests than the revelations concerning King Hussein. President Carter and Vice President Mondale were thus quite wise to renounce the proposal to enact criminal sanctions for leaks.

The only proper and effective remedy is to stop engaging in secret activity of which we are ashamed when it is exposed. Seldom is it really necessary, and the test is a simple one. If you don't believe that, ask yourself how you would feel if it were disclosed that the President of the United States had gotten secret payments from King Hussein.

Ray S. Cline

'Piety About the Obligation of the Adversary Press'

A Washington Post story by an investigative reporter who helped bring down the Imperial presidency, Bob Woodward, raises some fundamental questions about the power of the U.S. press. Should all government secrets be exposed? Do our news media have any responsibility for acting in the public interest and refraining from acting against it?

In a recent article Woodward alleged that the CIA paid secret subsidies over a period of 20 years to King Hussein of Jordan because the king provided confidential reports from his own sources on the troubled Mideast; and also guided Jordanian policies along moderate lines helpful to American foreign policy interests in the region. The reportorial tone reflected the standard post-Watergate sense of moral outrage at secrecy.

I cannot, of course, confirm or deny these specific allegations, but from my many years of experience in the CIA and the State Department, I feel obliged to say I cannot see why the journalistic keepers of our conscience are outraged nor can I see what American interest is served by printing a story like this, which, if true, automatically puts a stop to a valuable U.S. secret intelligence activity.

Journalists, above all others, know how tragic it is to lose a good source, not only be-

cause of the direct loss of information in any given case but also because of the inhibiting effect on other potential sources who become distrustful that their role cannot be protected.

Beyond that, damaging the regional prestige of a friendly foreign official is hardly a plus for U.S. foreign policy, especially in this case when progress toward peace seems to hinge on Jordan's ability to moderate the anti-Israeli conduct of the Palestine terrorists (the PLO).

Mr. Cline, a former intelligence official, is executive director of studies at the Georgetown Center for Strategic and International Studies.

To gloss over the injury that may have been done to U.S. interests and U.S. allies in the Mideast by piety about the obligation of the adversary press to expose whatever secrets the government tries to protect is either naive or hypocritical. Does the First Amendment pass over to journalists unrestricted authority to make decisions on such matters, negating careful presidential decisions to the contrary by making them public? This doctrine seems to me dubious and damaging.

The CIA clearly has a legal charter of almost 30 years standing to act on behalf of the President in carrying out secret missions abroad in the interest of the United States and its allies.

One CIA mission is to collect information about efforts by Soviet officials or agents of the KGB or local troublemakers to influence events in ways contrary to U.S. interest in maintaining stability and peace in strategically vital regions like the Mideast. Some foreign political leaders have been able to develop substantial networks of intelligence sources, providing data of value not only to their own country but to the United States. A few have been able to go farther and to use secret American financial aid to set up moderate non-Communist political institutions or political groups to oppose what they perceived as subversion and other hostile political acts by local Communist or terrorist elements financed and directed by outside agents.

For 30 years CIA's role in collecting secret information and taking secret political actions in cooperation with friendly political leaders has not only benefited the nations involved but also strengthened the foreign policy of the United States. When their efforts required secret funds, the money was given; for the most part, it was money well spent.

I do not at all object to having The Washing-

ton Post, The New York Times or any other newspaper, for that matter, criticize the foreign policy of the United States. I am rather agnostic, however, at their having the right to make concrete and irreversible foreign-policy decisions about secret intelligence undertakings of this kind. This would be decision-making by unelected private authorities without any checks and balances or any right of appeal.

A secret relationship, which may have taken years to build up, is instantly and irrevocably destroyed when exposed. I do not believe newspaper managers, editors or reporters are qualified to make the complex judgments involved.

Perhaps I am the only man left in Washington who thinks in this way, but I feel that the United States should pursue its foreign policy vigorously and act in an energetic way to protect the interests of its allies abroad. Secret measures in support of a sound and moral foreign-policy commitment are not wrong; they are right. Our President under legally established procedures ought to be able to keep such measures secret if they need to be covert to succeed. Please, members of the news-gathering profession, do not blow all the sources of your official counterparts in the foreign intelligence business.

WASHINGTON Post
14 MARCH 1979

Center for Strategic and International
Studies/Georgetown University

Ray S. Cline

Executive Director of Studies

1800 K Street NW, Washington DC 20006
(202) 833 8595